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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,884	11/18/2003	Shinichi Furuta	03700/LH	8695
1933	7590	06/14/2006	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 Fifth Avenue 16TH Floor NEW YORK, NY 10001-7708				BOTTs, MICHAEL K
ART UNIT		PAPER NUMBER		
		2176		

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Office Action Summary	Application No.	Applicant(s)	
	10/716,884	FURUTA ET AL.	
Examiner	Art Unit	Michael K. Botts	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 March 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/1/05.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

1. This document is a Final Office Action on the merits. This action is responsive to the following communications: Amendment, which was filed on March 23, 2006.
2. Claims 1-20 are currently pending in the case, with claims 1 and 12 being the independent claims.
3. The abstract of the disclosure was objected to. Applicants have submitted a new abstract appropriately correcting the objected to material. Accordingly, the objection to the abstract is withdrawn.
4. Applicants amended the specification to correct a spelling error. The amendment is accepted.
5. Applicants amended claims 1-20.
6. Claims 1-20 are rejected.

Information Disclosure Statement

7. A signed and dated copy of applicant's IDS, which was filed on November 1, 2005, is attached to this Office Action.

Claims Rejection – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. **Claims 1-7 and 9-20, as amended,** are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Tsuji, Japanese Patent Application Heisei 11-051709, which was filed on February 26, 1999, and published on September 14, 2000 as Unexamined Laid-Open Kokai Patent 2000-253127A, [hereinafter “Tsuji”].

It is noted that Applicant’s accurately corrected the Examiner’s original attribution to “Hirokazu” to the proper inventor last name of “Tsuji.” The proper attribution to “Tsuji” is used herein with the understanding that it is the same reference cited in the previous Non-Final Office Action as “Hirokazu.”

Regarding **independent claim 1, as amended,** Tsuji teaches:

*A portable communication terminal comprising:
a display;
image storage means for storing items of image data;
address book data storage means for storing at least one item of contact address information and additional information associated with the item of contact address information by establishing a link therebetween;
link storage means for storing a link between at least one item of contact address information in the address book data storage means and a storage address of a corresponding item of image data stored in the image storage means;*

communication log storage means for storing a plurality of communication logs, including a communication log comprising a plurality of items of contact address information corresponding to data transmitted by the portable communication terminal and a communication log comprising a plurality of items of contact address information corresponding to data received by the portable communication terminal;

means for communication logs to be displayed on the display;

means for displaying in a list on the display the plurality of items of contact address information of the selected communication log;

means for instructing to display the displayed communication log on the display together with an images;

means for referring to the link storage means to determine whether any item of image data is linked to any of the items of contact address information displayed on the display in the displayed communication log, when images are instructed to be displayed together with the displayed communication log; and

means for, when it is determined that at least one item of image data is linked to a corresponding one of the displayed items of contact address information, reading out and resizing the at least one item image data and displaying the image data, together with the corresponding item of contact address information in the list on the display.

(It is noted that read in its broadest reasonable interpretation claim 1 encompasses a cell phone with a display, the phone also having memory to store images and memory

to store call logs for incoming and outgoing calls. Further, the phone can display the call log, incoming or outgoing, and, if any image is associated with the phone number in the log, the phone can display the image along with the phone number.

Tsuji teaches a cell phone with a display. See, Tsuji, figure 1, and claim 3.

Tsuji teaches the phone having memory to store and display call logs for incoming and outgoing calls. See, Tsuji, paragraphs [018] and [0046].

Tsuji teaches a communication log as an “abbreviated dialing table” that associates a call with the display of an image, an associated phone number and a name. See, Tsuji, figure 5, and paragraphs [0027] and [0054].)

Regarding **dependent claim 2, as amended**, Tsuji teaches:

A terminal according to claim 1, further comprising means for determining whether or not information identical to any of the items of contact address information stored in the communication log storage means is present in the address book data storage means, and, if it is determined that at least one of the items of contact address information in the selected communication log is present in the address book data storage means the display is controlled to display the additional information associated with the at least one item of contact address information when displaying the selected communication log.

(See, Tsuji, paragraphs [0018] and [0027] teaching display of a name and phone number associated with an image. Further, Tsuji teaches a “determination means” to

make the association to compare communication log data with address book data to retrieve the image, address, and name from a communication log and display that data.)

Regarding **dependent claim 3, as amended**, Tsuji teaches:

A terminal according to claim 1, further comprising:
means for selecting one of the items of contact address information from the contact address information displayed on the display in the list; and
means for causing the display to display information with respect to past communication corresponding to the selected item of contact address information.

(See, Tsuji, paragraphs [0063] and [0064], teaching to select contact information from the contract registration ("contract address information") and display the past communication name, phone number and image data. Further, see, Tsuji, paragraph [0027], teaching that selecting a call destination phone number will cause the display of the related information of the name, and image.)

Regarding **dependent claim 4, as amended**, Tsuji teaches:

A terminal according to claim 2, further comprising:
means for selecting desired additional information from the additional information displayed on the display; and
means for causing the display to display the selected additional information and information with respect to past communication.

(See, Tsuji, paragraph [0027], teaching that selecting a call destination phone number will cause the display of the related information of the name, and image. Further, see that the selection may include additional information such as name, phone number, and image of a last party on the line (“past communication”).)

Regarding **dependent claim 5, as amended**, Tsuji, teaches:

*A terminal according to claim 4, wherein
the additional information includes a plurality of pieces of contact address
information, and said plurality of pieces of contact address information and an
icon indicating attributes thereof are displayed when the additional information is
selected.*

(See, Tsuji, paragraph [0027], teaching that selecting a call destination phone number will cause the display of the related information of the name, and image. Further, see, Tsuji, Figures 5 and 6, and paragraph [0045] teaching showing signal strength indicator icons. Additionally, see, Tsuji, figure 3, element 17, and paragraph [0047], teaching an “abbreviated dialing table” which appears on the display, as an icon, and which indicates the attribute of the entry of a name, or number, or icon in association with the additional information.)

Regarding **dependent claim 6, as amended**, Tsuji teaches:

A terminal according to claim 3, further comprising:

means for determining whether or not a list display instruction issued after one of the items of contact address information is selected; and means for, when the list display instruction is issued, causing the selected communication log to be displayed in a list one of (i) without the images, if the images were not displayed when the one of the items of contact address information was selected, and (ii) with the images, if the images were displayed when the one of the items of contact address information was selected.

(It is noted that the “list display instruction” is an item selected from the “abbreviated dialing table.” Tsuji teaches an abbreviated dialing table that, when selected, will cause the “communication apparatus” to display one or more of (“contact address information) designated in Tsuji as an associated image, name, and phone number. See, Tsuji, paragraph [0017].)

Regarding **dependent claim 7, as amended**, Tsuji teaches:

*A terminal according to claim 4, further comprising:
means for determining whether or not an image data display instruction is issued after the desired additional information is selected; and
means for, when the image data display instruction is issued, reading out image data, from the image storage means, that corresponds to the item of contact address information corresponding to the selected additional information, based on a storage address of the image data linked to the item of contact address information by a link stored by the link storage means, (ii) resizing the*

image data, and (iii) displaying the resized image data on the display means in place of the selected additional information.

(The means for determining whether or not an image data display instruction is issued is that the display is generated on the display window, or not.

See, Tsuji, paragraph [0017], teaching the selection of an image data display as the selection of the response to the registration number data, name data and telephone number data. In addition, see, Tsuji, paragraph [0046], teaching that the associated data of an image, name, and phone number may be selected through the “abbreviated dialing number.”

See also, Tsuji, figures 3-6, and paragraphs [0041], 0045], and [0053] teaching resizing the image data upon selection, from the abbreviated dialing table to the displayed image.)

Regarding **dependent claim 9, as amended**, Tsuji teaches:

A terminal according to claim 1, further comprising means for always displaying a reception state of the radio signal on the display.

(See, Tsuji, figures 5 and 6, and paragraph [0045], teaching showing the reception state of the signal on the display as a standard antenna strength icon.)

Regarding **dependent claim 10, as amended**, Tsuji teaches:

A terminal according to claim 7, wherein the resized and displayed image data comprises moving image data.

(See, Tsuji, figures 3-6, and paragraphs [0041], [0045], and [0053] teaching resizing the image data upon selection, from the abbreviated dialing table to the displayed image. See also, Tsuji, claims 2 and 11, figures 3-6, and paragraphs [0014] and [0061], teaching that the displayed image may be a still or a moving image.)

Regarding **dependent claim 11, as amended**, Tsuji teaches:

A terminal according to claim 1, further comprising:
image capturing means for capturing image data; and
storage control means for causing the image storage means to store
image data captured by the image capturing means.

(See, Tsuji, claim 7, and paragraph 19, teaching that the invention has a camera and a means for storing the captured images from the camera)

9. Regarding **claims 12-20, as amended**:

Claims 12-20 incorporate substantially similar subject matter as claimed in claims 1-11, respectively, and are rejected along the same rationale.

10. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art.

See, MPEP 2123.

Claims Rejection – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Dependent claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuji, Japanese Patent Application Heisei 11-051709, which was filed on February 26, 1999, and published on September 14, 2000 as Unexamined Laid-Open Kokai Patent 2000-253127A, [hereinafter “Tsuji”], in view of Padawer, et al. (U.S. Patent Application Publication 2002/0052196 A1, filed August 30, 2001, and claiming priority to Non-provisional application 60/237,287, filed October 2, 2000) [hereinafter “Padawer”].

Regarding **dependent claim 8, as amended**, Tsuji in view of Padawer teaches:

A terminal according to claim 1, communication logs comprise an outgoing call log and an incoming call log, and comprises:

means for instructing to display the outgoing call log;

means for instructing to display the incoming call log; and

means for switching between displaying the outgoing call log and the incoming call log in accordance with the respective instructions.

(Tsuji teaches an acquisition means to acquire the call destination telephone number (“outgoing call”) and to associate the name, number, and image data. See, Tsuji, paragraph [0018] Tsuji also teaches registration of the number and associated data. See, Tsuji, paragraph [0020].

Tsuji also teaches receiving an incoming call, recognizing the number, and associating the name, number, and image data, and displaying that information. See, Tsuji, figure 6, and paragraphs [0054] and [0065]. In addition, Tsuji teaches registration of the incoming call number and associated data. See, Tsuji, paragraph [0057].

Tsuji teaches the registration of outgoing and incoming calls, and associates those calls with the name, phone number, and images, but Tsuji does not expressly teach incoming and outgoing call logs and a means for displaying or switching between those logs.

Padawer teaches that outgoing and incoming call logs on portable or cell phones were well known by one of ordinary skill in the art at the time of the invention. Specifically, Padawer teaches that, at the time of its filing, selectable incoming and outgoing call logs were available on cell phones and were admitted as prior art. See, Padawer, paragraph [0043].

It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the prior art incoming/outgoing call logs with the incoming and outgoing call recognition functions of Tsuji to create separate incoming and outgoing call logs with name and image data.

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The suggestion or motivation for creating the incoming and outgoing call logs is the prior art usage in cells phones and the obvious and beneficial purpose of quick and efficient access to phone numbers on cell phones along through a well known prior art interface.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Tsuji and Padawer to result in the invention specified in claim 8.

12. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art.

See, MPEP 2123.

Response to Arguments

Applicants' arguments filed March 23, 2006 have been fully considered, but they are not persuasive.

Regarding the requirement to update priority document:

Applicants argue that such requirement does not apply to their Japan prior art patents.

The Examiner states that the requirement is a standard statement intended for

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U.S. priority applications. Accordingly, the requirement is clarified as not applying to Applicants' foreign priority filings.

Regarding rejections of **claims 1 and 12**:

Applicants argue that Tsuji does not teach or suggest the features and advantageous effects of amended independent claim 1 and corresponding method claim 12. See, Remarks, page 21.

The Examiner disagrees.

First: The communication log is taught as the "abbreviated dialing table" See, Tsuji, figure 4, and paragraphs [0047] and [0065]. Upon selection, the display screen resizes the image data and also displays associated information such as the name and phone number. See, Tsuji, figure 5, and paragraph [0053]. Tsuji also teaches the obviously required means for memory for storage of the data information and a means for selecting the information to be displayed. See generally, Tsuji, paragraphs [0013]-[0032]. Therefore, Tsuji reads on every limitation of claims 1 and 12.

Regarding rejections of **claims 2-11 and 13-20**:

Applicants argue that claims 2-11 and 13-20 are patentable by virtual of the patentability of claims 1 and 12, and further asserts without argument that they are patentably distinct from Tsuji individually or in combination with Hsu.

The Examiner disagrees.

As stated in the rejections above, the teachings of Tsuji clearly anticipates all of

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the limitations of Applicants' claims.

The Examiner has changed the prior art cited in rejection of the claims from the Japan Patent Abstract of Tsuji to the translation of the entire patent, and has dropped the reference to Hsu, in response to amendments made by the Applicants. Accordingly, this rejection is made final.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS for the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday through Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKB/mkb


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